IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
WRIT PETITION LOD. NO.2743 OF 2005

Shri Deepak S. Kamble
Proprietor of M/s. Hotel China Gate ..Petitioner.

V/s.

State of Maharashtra And Ors. ..Respondents.

Mr. S.V.Sadavarte, adv. for the Petitioner.
Ms.Geeta Shastri, A.G.P. for the State.

CORAM: S.R.Sathe, J.
DATED: 24th Nov., 2005.

P.C.:

Rule. By consent heard forthwith.

1. Heard both the learned Advocates. The learned A.G.P. made a statement that the order dated 29th October, 2005 bearing no.REH 01/2004/652/SPL BRH.5 passed by the Deputy Chief Minister (Home) be quashed and the matter be remanded back for fresh hearing and the Government will hear the Appeal afresh after giving opportunity to the present Petitioner.

2. The learned Advocate for the Petitioner has no objection for the same. Hence, the Order No.REH 01/2004/652/SPL BRH.5 is quashed and set aside and matter is remanded back to the Respondent for hearing

Appeal afresh after giving opportunity to the present Petitioner. Appeal is to be disposed of within 12 weeks. The learned A.G.P. has also made a statement that till the disposal of the said Appeal, they will not execute earlier order regarding suspension of licence dt.16.9.2004 passed by Dy. Commissioner of Police, (H.Q), Mumbai in view of order passed in Writ Petition No.2862 of 2004 on 21st October, 2004.

3. In view of this Rule is made absolute and Petition disposed of accordingly.

(S.R.Sathe,J.)